

**REMARKS**

Claims 1-21 were originally filed in the present application.

Claims 1-21 are pending in the present application.

Claims 1-21 were rejected in the November 17, 2008 Office Action.

Claims 1, 8, and 15 have been amended.

No claims have been allowed.

Claims 1-21 remain in the present application.

Reconsideration of the claims is respectfully requested.

**I. CLAIM REJECTIONS -- 35 U.S.C. § 103**

In the November 17, 2008 Office Action, the Examiner rejected Claims 1-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2005/0025082 to *Jang, et al.* (hereinafter, simply "Jang") in view of European Patent No. 828355 to *Noneman* (hereinafter, simply "Noneman").

In the Office Action dated November 17, 2008 the Examiner argued, "the claim language is completely silent with regards to allowing 'the use of address identifiers containing fewer bits than the mobile station ESN value' as disclosed in the specification and argued in the applicant's response." Independent claims 1, 8, and 15 have been amended to include this element. These amendments are, as indicated by the Examiner, supported by the specification as filed and are

respectfully submitted not to add any new matter. The Applicant directs the Examiner's attention to independent Claim 1, which recites the unique and novel limitations emphasized below:

For use in a wireless network, a base station capable of transmitting broadcast data over a shared traffic channel to a plurality of mobile stations in a coverage area of said base station,  
wherein said base station is capable of transmitting a first control message over said shared traffic channel to said plurality of mobile stations, said first control message operable to assign a shared public long code mask (PLCM) to said plurality of mobile stations,  
wherein said broadcast data comprises a first local address identifier and mobile station-specific information, *and wherein the first address identifier comprises fewer bits than the mobile station ESN value.* [Emphasis Added]

The Applicant respectfully asserts that the limitation “said broadcast data comprises a first local address identifier” as recited in Claim 1 is unique and novel over the Jang reference alone or in combination with the Noneman reference. The Examiner concedes that “Jang et al fails to disclose wherein said first control message operable to assigns a shared public long mask (PLCM) to said plurality of mobile stations, wherein said broadcast data comprises a first local address identifier and mobile station-specific information.” The Examiner attempts to cure this deficiency by relying upon Noneman.

The Examiner asserts that the “local address identifier” is taught by Noneman, stating “[t]he spreading code, scrambling code, and frequency channel are assigned to each MS.” Each of the items stated by the examiner relate to information being transmitted to the mobile station, not information about the mobile device.

As explained in paragraph [0049] of the original specification, the local address identifier allows the use of address identifiers containing fewer bits than the mobile station ESN value. Therefore, this information is ABOUT the mobile station. Paragraph [0049] of the original specification is reproduced below:

[049] **Each base station may assign a local address identifier to each mobile station. This allows the use of address identifiers containing fewer bits than the mobile station ESN value. The local address identifiers of one base station may be re-used only by a remote base station, thereby avoiding address identifier conflicts.** Advantageously, address identifiers may be used to perform multicasts. This may be accomplished by assigning each mobile station a unique address identifier used only by that mobile station, as well as a group identifier that is shared with a selected multicast group of mobile stations. The base station performs the multicast by using the group identifier in the packet data units directed to the selected multicast group. [Emphasis Added]

As shown above, the local address identifier relates to identification of a mobile station. The sections cited by the Examiner of Noneman relate only to information that is transmitted to the mobile device (e.g., the spreading code, scrambling code, and frequency channel). None of these are items that are **used as address identifiers that contain fewer bits than the mobile station ESN value**. It is therefore respectfully submitted that none of the prior art of record teaches, suggests, or anticipates “a first local address identifier”. Claims 1, 8, and 15 have been amended to further clarify this element.

In sum, the prior art references cited by the Examiner do not disclose, teach or suggest the unique and novel limitations recited in independent Claims 1. The independent claims 8, and 15 recite limitations that are analogous to the limitations recited in the claim 1, and these limitations are

unique and novel over the Jang reference alone or in combination with the Noneman reference. Accordingly, independent Claims 1,8, and 15 are patentable over the cited prior art. Dependent Claims 2-7, 9-14, and 16-21 depend from independent Claim 1, 8, and 15 respectively and contain all of the unique and novel limitations recited in Claim 1. This being the case, these dependent claims are also patentable over the cited prior art references.

**SUMMARY**

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckcarter.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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